



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

मंगलवार, 04 अप्रैल, 2023 / 14 चैत्र 1945

हिमाचल प्रदेश सरकार

राज्य निर्वाचन आयोग हिमाचल प्रदेश

STATE ELECTION COMMISSION HIMACHAL PRADESH

आर्मसडेल, शिमला-171002 Armsdale, Shimla-171002 Tel. 0177-2620152, 2620159, 2620154, Fax. 2620152

Email: secysec-hp@nic.in

NOTIFICATION

Dated the 3rd April, 2023

No. SEC(F)2-6/2021-1642.—Whereas the State Election Commission had issued programme for preparation of electoral rolls of Municipal Corporation Shimla *vide* Notification

No. SEC(F)1-39/2022, dated 24-02-2023 which was revised due to amendment in Himachal Pradesh Municipal Corporation Elections Rules, 2012, by the Government. As per revised schedule the final publication of electoral rolls is fixed for 06-04-2023;

And whereas all the claims and objections have been disposed off by the Revising Authorities and only three appeals have been filed before Sub-Divisional Officer (C) Shimla (Urban)-cum-Electoral Registration Officer, which are likely to be disposed off today as apprised by Sub-Divisional Officer (C) Shimla (Urban);

And whereas the Commission had also issued special revision programme for updation of electoral rolls in respect of Municipal Corporation Palampur *vide* Notification No. SEC(F)1-39/2022, dated 17-03-2023 for by-elections to ward No.2, Palampur Upperla of the said Corporation and as intimated by the concerned Sub-Divisional Officer (C)-cum-Electoral Registration Officer, no appeal has been filed;

Therefore, the State Election Commission in exercise of the powers vested in it under Article 243-ZA of the Constitution of India, Section 9 of the Himachal Pradesh Municipal Corporation Act, 1994 read with Rule 33 of the Himachal Pradesh Municipal Corporation Election Rules, 2012, hereby notifies the Election Programme for the conduct of general elections to Municipal Corporations Shimla and by-elections to Ward No. 2 Palampur Upperla of Municipal Corporation Palampur district Kangra as under :—

1.	Date of Notification	03rd April, 2023
2.	Nomination papers shall be presented;	On 13th, 17th & 18th April, 2023 (between 11.00 AM to 3.00 PM). Nomination papers shall be filed at designated places and before the Officers appointed by the Returning Officer for the purpose.
3.	The nomination papers shall be scrutinized;	On 19th April, 2023 (From 10.00 AM onwards)
4.	A candidate may withdraw his candidature;	On 21st April, 2023 (Between 10.00 AM to 3.00 P.M.)
5.	The list of contesting candidates showing the name of symbols allotted to them shall be prepared and affixed;	On 21th April, 2023 immediately after the time of withdrawal is over.
6.	The list of Polling stations shall be pasted ;	On or before 13th April, 2023.
7.	The Poll, if necessary, shall be held from 8.00 A.M. to 4.00 P.M.	On 2nd May, 2023
8.	Counting of votes, in the event of poll and declaration of results shall be done.	On 04-05-2023 at the Municipal Headquarters at 10.00 A.M. onwards.
9.	The process of election shall be completed.	By 6th May, 2023

The electoral rolls prepared with 01-01-2023 as qualifying date and fixed for final publication on 06-04-2023 shall be used for the conduct of these elections. However, any eligible elector with 01-01-2023 as qualifying date can apply to Electoral Registration Officer for inclusion of his/her name in the electoral rolls under Rule 26 of the Rules *ibid* after paying Rs. 50/-. The application shall be received not later than eight days before last date fixed for filing of nomination papers. **The applications under this Rule shall be received even on holidays.** A supplementary list shall be prepared and added to the main electoral rolls. Even if, there is no inclusion or correction in the electoral rolls, Supplement showing inclusion or correction as 'Nil' shall be attached to the main electoral rolls.

By order,

(ANIL KUMAR KHACHI),
State Election Commissioner.

राज्य निर्वाचन आयोग हिमाचल प्रदेश
STATE ELECTION COMMISSION HIMACHAL PRADESH
आर्मसडेल, शिमला-171002 Armsdale, Shimla-171002 Tel. 0177-2620152, 2620159, 2620154, Fax. 2620152
Email: secysec-hp@nic.in

NOTIFICATION

Dated the 3rd April, 2023

No. SEC(F)2-10/2022-1679.—In exercise of the powers vested in it under Article 243-ZA of the Constitution of India, Section 281 of Himachal Pradesh Municipal Act, 1994 read with Rule 35 of the Himachal Pradesh Municipal (Election) Rules, 2015, to fill up the casual vacancies in Ward No. 9 Dadour of Municipal Council Nerchowk, District Mandi, Ward No. 6 Police Thana of Nagar Panchayat Rajgarh, District Sirmaur and Ward No. 6 PWD Rest House Nagar Panchayat Jawali, District Kangra the State Election Commission, hereby issues the following programme:—

1.	Date of Notification	03rd April, 2023
2.	Nomination papers shall be presented:	On 13th, 17th & 18th April, 2023 (between 11.00 A.M. to 3.00 P.M.). Nomination papers shall be filed at designated places and before the Officers appointed by the Returning Officer for the purpose.
3.	The nomination papers shall be scrutinized;	On 19th April, 2023 (From 10.00 A.M. onwards)
4.	A candidate may withdraw his candidature:	On 21st April, 2023 (Between 10.00 A.M. to 3.00 P.M.)
5.	The list of contesting candidates showing the name of symbols allotted to them shall be prepared and affixed:	On 21th April, 2023 immediately after the time of withdrawal is over.

6.	The list of Polling stations shall be published:	On or before 13th April, 2023.
7.	The Poll, if necessary, shall be held from 8.00 A.M. to 4.00 P.M.	On 2nd May, 2023
8.	Counting of votes, and declaration of result in the event of poll shall be done.	On 02-05-2023 immediately after of poll at the Municipal Headquarters
9.	The process of election shall be completed.	By 3rd May, 2023

The electoral rolls updated with 01-01-2023 as qualifying date through special revision and fixed for final publication on 06-04-2023 shall be used for the conduct of these elections. However, any eligible elector with 01-01-2023 as qualifying date under Rule 17(a) of the Rules *ibid* can apply to Electoral Registration Officer for inclusion of his/her name in the electoral rolls under Rule 28 of the Rules *ibid* after paying Rs. 50/-. The application shall be received not later than eight days before last date fixed for filing of nomination papers. **The applications under this Rule shall be received even on holidays.** A supplementary list shall be prepared and added to the main electoral rolls. Even if, there is no inclusion or correction in the electoral rolls, 'Nil' inclusion or correction as the case may be shall be shown and attached to the main electoral rolls.

By order,

(ANIL KUMAR KHACHI),
State Election Commissioner.

राज्य निर्वाचन आयोग हिमाचल प्रदेश
STATE ELECTION COMMISSION HIMACHAL PRADESH
आर्मसडेल, शिमला-171002 Armsdale, Shimla-171002 Tel. 0177-2620152, 2620159, 2620154, Fax. 2620152
Email: secysec-hp@nic.in

NOTIFICATION

Dated the 3rd April, 2023

No. SEC16-29/2000-I.—Whereas the State Election Commission has issued election programmes for the conduct of general elections to Municipal Corporation Shimla and by-elections to fill up casual vacancy in Ward No. 2 Palampur Upperla of Municipal Corporation Palampur, Ward No. 9, Dadour of Municipal Council Nerchowk, District Mandi, Ward No. 6, Police Thana of Nagar Panchayat Rajgarh, District Sirmaur and Ward No. 6, PWD Rest House Nagar Panchayat Jawali District Kangra;

Therefore, the State Election Commission in exercise of the powers vested in it under Article 243-ZA of the Constitution of India, Section 9 of the Himachal Pradesh Municipal Corporation Act, 1994 and Section 281 of the Himachal Pradesh Municipal Act, 1994 hereby directs that the Model Code of Conduct as notified by this Commission *vide* Notification No. SEC-16-29/2000-I-3768, dated 3rd November, 2020, shall come into force with immediate effect in the territorial jurisdiction of above mentioned Municipalities till the election process is over.

By order,

(ANIL KUMAR KHACHI),
State Election Commissioner.

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

दिनांक 3 अप्रैल, 2023

संख्या वि0स0-विधायन विधेयक/1-36/2023.—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान निरसन विधेयक, 2023 (2023 का विधेयक संख्यांक 6) जो आज दिनांक 3 अप्रैल, 2023 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण को सूचनार्थ राजपत्र, में मुद्रित करने हेतु प्रेषित किया जाता है ।

हस्ताक्षरित/—
यशपाल,
सचिव,
हि0 प्र0 विधान सभा ।

2023 का विधेयक संख्यांक 6

हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान (निरसन) विधेयक, 2023

खण्डों का क्रम

खण्डः

1. संक्षिप्त नाम और प्रारम्भ ।
2. हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान अधिनियम, 2021 का निरसन ।
3. व्यावृत्ति ।

2023 का विधेयक संख्यांक 6

हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान (निरसन) विधेयक, 2023

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान अधिनियम, 2021 (2021 का अधिनियम संख्यांक 5) का निरसन करने के लिए विधेयक ।

भारत गणराज्य के चौहत्तरवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित होः—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान (निरसन) अधिनियम, 2023 है ।

(2) यह प्रथम अप्रैल, 2023 को प्रवृत्त हुआ समझा जाएगा।

2. हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान अधिनियम, 2021 का निरसन.—हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान अधिनियम, 2021(2021 का अधिनियम संख्यांक 5) एतद्वारा निरसित किया जाता है।

3. व्यावृत्ति.—धारा 2 के अधीन अधिनियम के निरसन से उक्त अधिनियम के पूर्ववर्ती प्रचालनों पर या तदधीन सम्यक् रूप से की गई किसी बात या की गई किसी कार्रवाई पर कोई प्रभाव नहीं पड़ेगा :

परंतु इस प्रकार निरसित अधिनियम के अधीन प्रदत्त किए जा रहे किसी अधिकार, विशेषाधिकार हक, सुविधा, प्रसुविधा या सम्मान राशि को इस अधिनियम के प्रारम्भ के पश्चात् जारी नहीं रखा जाएगा।

उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश लोकतन्त्र प्रहरी सम्मान अधिनियम, 2021 (2021 का अधिनियम संख्यांक 5) को वर्ष 2021 में अधिनियमित किया गया था। अब यह विनिश्चय किया गया है कि अधिनियम के अधीन प्रदान की जा रही सम्मान राशि या किन्हीं अन्य प्रसुविधाओं को बंद कर दिया जाए और इस अधिनियम को निरसित कर दिया जाए क्योंकि इस अधिनियम को अब कानूनी पुस्तकों में रखने से कोई भी प्रयोजन हल नहीं होगा। अतः इस प्रयोजन के लिए निरसन विधेयक लाना प्रस्तावित है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

(सुखविन्दर सिंह सुक्खू)
मुख्य मन्त्री।

शिमला.....

तारीख....., 2023

AUTHORITATIVE ENGLISH TEXT

Bill No. 6 of 2023

THE HIMACHAL PRADESH LOKTANTRA PRAHRI SAMMAN (REPEALING) BILL, 2023

ARRANGEMENT OF CLAUSES

Clauses:

1. Short title and commencement.
2. Repeal of the Himachal Pradesh Loktantra Prahri Samman Act, 2021.
3. Saving.

**THE HIMACHAL PRADESH LOKTANTRA PRAHRI SAMMAN (REPEALING)
BILL, 2023**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL*to repeal the Himachal Pradesh Loktantra Prahri Samman Act, 2021 (Act No. 5 of 2021).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventy-fourth Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Himachal Pradesh Loktantra Prahri Samman (Repealing) Act, 2023.

(2) It shall be deemed to have come into force on the 1st April, 2023.

2. Repeal of the Himachal Pradesh Loktantra Prahri Samman Act, 2021.—The Himachal Pradesh Loktantra Prahri Samman Act, 2021 (Act No. 5 of 2021), is hereby repealed.

3. Saving.—The repeal of the Act under section 2, shall not affect the previous operations of the said Act or anything duly done or any action taken thereunder:

Provided that any right, privilege, title, facility, benefit or Samman Rashi being granted under the Act so repealed shall not continue after the commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

The Himachal Pradesh Loktantra Prahri Samman Act, 2021 (Act No. 5 of 2021), was enacted in the year 2021. Now it has been decided that the Samman Rashi or any other facility being granted under the Act be discontinued and the said Act be repealed as no purpose will be achieved by retaining this Act in the Statutory Book. Thus, there is a proposal to bring a Repealing Bill for the purpose.

This Bill seeks to achieve the aforesaid objectives.

(SUKHVINDER SINGH SUKHU)
Chief Minister.

SHIMLA:

The _____, 2023.

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

दिनांक, 3 अप्रैल, 2023

संख्या वि०स०-विधायन-विधेयक/1-35/2023.—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश नगर निगम (संशोधन) विधेयक, 2023 (2023 का विधेयक संख्यांक 7) जो आज दिनांक 3 अप्रैल, 2023 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण को सूचनार्थ राजपत्र, में मुद्रित करने हेतु प्रेषित किया जाता है।

हस्ताक्षरित/—
यशपाल,
सचिव,
हि० प्र० विधान सभा।

2023 का विधेयक संख्यांक 7

हिमाचल प्रदेश नगर निगम (संशोधन) विधेयक, 2023

खण्डों का क्रम

खण्ड:

1. संक्षिप्त नाम और प्रारम्भ।
2. धारा 6 का संशोधन।
3. निरसन और व्यावृत्ति।

2023 का विधेयक संख्यांक 7

हिमाचल प्रदेश नगर निगम (संशोधन) विधेयक, 2023

(विधानसभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश नगर निगम अधिनियम, 1994 (1994 का अधिनियम संख्यांक 12) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के चौहत्तरवें वर्ष में हिमाचल प्रदेश विधानसभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. **संक्षिप्त नाम और प्रारम्भ.**—(1) इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश नगर निगम (संशोधन) अधिनियम, 2023 है।

(2) यह 24 जनवरी, 2023 से प्रवृत्त हुआ समझा जाएगा।

2. धारा 6 का संशोधन.—हिमाचल प्रदेश नगर निगम अधिनियम, 1994 की धारा 6 के खण्ड (क) के परन्तुक में, “इकतालीस” शब्द के स्थान पर “चौतीस” शब्द रखा जाएगा।

3. निरसन और व्यावृत्ति.—(1) हिमाचल प्रदेश नगर निगम (संशोधन) अध्यादेश, 2023 का एतद्वारा निरसन किया जाता है।

(2) ऐसे निरसन के होते हुए भी इस प्रकार निरसित अध्यादेश के अधीन की गई कोई बात या कार्यवाई इस अधिनियम के तत्स्थानी उपबन्धों के अधीन विधिमान्य रूप में की गई समझी जाएगी।

उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश नगर निगम अधिनियम, 1994 की धारा 6 नगर निगम में निर्वाचन द्वारा भरे जाने वाले स्थानों की अधिकतम संख्या सहित पार्षदों के निर्वाचन के प्रयोजन के लिए वार्डों के परिसीमन को उपबन्धित करती है। हिमाचल प्रदेश सरकार ने हिमाचल प्रदेश नगर निगम (संशोधन) अधिनियम, 2022 (2022 का अधिनियम संख्यांक 10) द्वारा प्रत्यक्ष निर्वाचन द्वारा भरे जाने वाले कुल स्थानों की अधिकतम संख्या को विद्यमान 37 से 41 तक बढ़ाया है। राज्य में 05 (पांच) नगर निगम नामतः शिमला, धर्मशाला, मण्डी, सोलन और पालमपुर हैं। क्रमशः 1,69,578 जनसंख्या वाले नगर निगम, शिमला को 34 (चौतीस) वार्डों, 53,453 जनसंख्या वाले नगर निगम, धर्मशाला को 17 वार्डों, 41,375 जनसंख्या वाले नगर निगम, मण्डी को 15 वार्डों, 47,418 जनसंख्या वाले नगर निगम, सोलन को 17 वार्डों और 40,385 जनसंख्या वाले नगर निगम, पालमपुर को 15 वार्डों में विभाजित किया गया है।

नगर निगम, शिमला में वार्डों की अधिकतम संख्या को विद्यमान 41 से घटाकर 34 किए जाने की आवश्यकता है। नगर निगम, शिमला की जनसंख्या अधिकतम है और इसके प्रति वार्ड की औसत जनसंख्या 4,987 है, जो कि किसी वार्ड, जो नगर निगम की आधारभूत प्रशासनिक इकाई है, के लिए आदर्श जनसंख्या प्रतीत होती है और नये वार्डों का सृजन कर इसे कम करने से अनावश्यक प्रशासनिक हस्तक्षेप होगा तथा इससे नगर निगम के स्रोतों पर वित्तीय बोझ पड़ेगा। इसलिए, नगर निगम में वार्डों की अधिकतम संख्या को 41 से कम करके 34 किया जाना समुचित होगा।

चूंकि हिमाचल प्रदेश विधान सभा सत्र में नहीं थी और नगर निगम शिमला के आगामी निर्वाचनों के दृष्टिगत हिमाचल प्रदेश नगर निगम अधिनियम, 1994 (1994 का अधिनियम संख्यांक 12) में संशोधन किया जाना अत्यावश्यक था, इसलिए, हिमाचल प्रदेश के राज्यपाल द्वारा भारत के संविधान के अनुच्छेद 213 के खण्ड (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, 23 जनवरी, 2023 को हिमाचल प्रदेश नगर निगम (संशोधन) अध्यादेश, 2023 (2023 का अध्यादेश संख्यांक 1) प्रख्यापित किया गया था, जिसे राजपत्र (ई-गजट), हिमाचल प्रदेश में 24 जनवरी, 2023 को प्रकाशित किया गया था। अब, उक्त अध्यादेश को बिना किसी उपान्तरण के नियमित अधिनियमिति द्वारा प्रतिस्थापित किया जा रहा है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

(सुखविंदर सिंह सुक्खू)
मुख्य मंत्री।

शिमला:

तारीख.....2023

Bill No. 7 of 2023

**THE HIMACHAL PRADESH MUNICIPAL CORPORATION (AMENDMENT)
BILL, 2023**

ARRANGMENT OF CLAUSES

Clauses:

1. Short title and commencement.
2. Amendment of section 6.
3. Repeal and saving.

Bill No. 7 of 2023

**THE HIMACHAL PRADESH MUNICIPAL CORPORATION (AMENDMENT)
BILL, 2023**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

further to amend the Himachal Pradesh Municipal Corporation Act, 1994 (Act No.12 of 1994).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventy-fourth Year of the Republic of India as follows:—

1. Short title and commencement.—This Act may be called the Himachal Pradesh Municipal Corporation (Amendment) Act, 2023.

(2) It shall be deemed to have come into force on the 24th day of January, 2023.

2. Amendment of section 6.—In section 6 of Himachal Pradesh Municipal Corporation Act, 1994, in clause (a), in the proviso, for the words “forty one”, the words “thirty four” shall be substituted.

3. Repeal and saving.—The Himachal Pradesh Municipal Corporation (Amendment) Ordinance, 2023 is hereby repealed.

(2) Notwithstanding such repeal any action taken or anything done under the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Section 6 of the Himachal Pradesh Municipal Corporation Act, 1994 provides for delimitation of wards for the purpose of election of Councillors in the Municipal Corporation

including maximum numbers of seats to be filled by election. The Government of Himachal Pradesh *vide* Himachal Pradesh Municipal Corporation (Amendment) Act, 2022 (Act No.10 of 2022), has increased the maximum number of total seats to be filled by direct election from existing 37 to 41. There are 05 Municipal Corporations namely; Shimla, Dharamshala, Mandi, Solan and Palampur in the State. Municipal Corporation Shimla having population of 169578 is divided into 34 wards, Municipal Corporation Dharamshala having population of 53543 is divided into 17 wards, Municipal Corporation Mandi having population of 41375 is divided into 15 wards, Municipal Corporation Solan having population of 47418 is divided into 17 wards and Municipal Corporation Palampur having population 40385 is divided into 15 wards, respectively.

There is need to reduce the maximum number of wards from existing 41 to 34 in respect of Municipal Corporation Shimla. Municipal Corporation, Shimla is having the highest population and has an average population of 4987 per ward, which appears to be ideal population for a ward, which is the basic administrative unit of Municipal Corporation and to reduce it, further by creating new wards would create unnecessary administrative involvement and financial burden on the resources of Municipal Corporation. Therefore, it would be appropriate to decrease the maximum number of wards from 41 to 34 in the Municipal Corporation(s).

Since, the Himachal Pradesh Legislative Assembly was not in session and the Himachal Pradesh Municipal Corporation Act, 1994 (Act No.12 of 1994) had to be amended urgently in view of the coming elections of the Municipal Corporation Shimla, therefore, the Governor, Himachal Pradesh, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India promulgated the Himachal Pradesh Municipal Corporation (Amendment) Ordinance, 2023 (Ordinance No. 1 of 2023) on 23-01-2023 and the same was published in the Rajpatra (e-Gazette), Himachal Pradesh on 24-01-2023. Now, the said Ordinance is being replaced by a regular enactment without any modification.

This Bill seeks to achieve the aforesaid objectives.

(SUKHVINDER SINGH SUKHU)
Chief Minister.

SHIMLA:
The....., 2023

